

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION
www.flmb.uscourts.gov**

In re:

PETER T. DVORAK

CASE NO. 9:11-BK-07437-FTM
Chapter 7

Debtor.

**DEBTOR'S SECOND EX PARTE MOTION FOR AN ORDER ENLARGING
TIME TO FILE SCHEDULES AND STATEMENTS**

NOW COMES Peter T. Dvorak, debtor in the above-styled chapter 7 proceeding (the "Debtor"), and respectfully requests that this Court enter an *ex parte* order, pursuant to Section 521 of the Bankruptcy Code, and Rules 1007 and 9006 of the Federal Rules of Bankruptcy Procedure, granting an enlargement of time for the Debtor to file Schedules and Statements (as hereinafter defined). In support of this Second Motion, the Debtor respectfully represents as follows:

BACKGROUND

1. On April 20, 2011 (the "Petition Date"), the Debtor filed a voluntary petition in this Court for relief under Chapter 7 of Title 11 of the United States Code (the "Bankruptcy Code").
2. Diane L. Jensen is serving as the Chapter 7 Trustee.
3. The § 341 meeting of creditors is presently set for June 1, 2011 at 11:00 a.m.
4. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157(b) and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b).
5. The statutory predicates for the relief requested herein are Section 521 of the Bankruptcy Code and Rules 1007 and 9006 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules").

6. On May 5, 2011, the Debtor filed his *Ex Parte Motion for an Order Enlarging Time to File Schedules and Statements* (the “Motion”) (CP No. 10) seeking to file his schedules and statement of financial affairs through and including May 19, 2011.

7. On May 9, 2011, this Court entered an Order (CP No. 12) granting the Motion.

8. Due to the complex nature of the Debtor’s financial affairs, by this Second Motion, the Debtor seeks a second order enlarging the time for filing the Schedules and Statements for an additional six days, through and including May 25, 2011.

9. The extended deadline requested herein is not later than 7 days before the Debtor’s Section 341 meeting of creditors, which is presently scheduled for June 1, 2011.

10. The relief requested herein is not for any dilatory purpose or for delay, but rather, is for the purpose of providing the Debtor sufficient time to prepare the Schedules and Statements accurately and completely. Ultimately, this result will be in the best interests of the estate and all creditors.

11. A proposed order granting the relief set forth herein has been uploaded to the Court via CM/ECF.

WHEREFORE, the Debtor respectfully requests that the Court enter an order (i) extending the time for filing the Schedules and Statements for a period of fourteen days, through and including May 25, 2011, and (ii) granting such other and further relief as just and proper.

Respectfully submitted this 19th day of May, 2011.

GENOVESE JOBLOVE & BATTISTA, P.A.
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By: _____ /s/ Monique D. Hayes _____
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via CM/ECF upon all parties listed below this 19th day of May, 2011.

By: _____ /s/ Monique D. Hayes _____
Monique D. Hayes, Esq.

SERVICE LIST

VIA CM/ECF

Trustee
Diane L Jensen
Trustee
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Fort Myers, FL 33902
239-339-2293

U.S. Trustee
United States Trustee - FTM7
Timberlake Annex, Suite 1200
501 E Polk Street
Tampa, FL 33602
813-228-2000